

### Remarks

This Amendment is intended to be a complete response to the Advisory Action dated April 28, 2006, and the case is believed to be in better condition for allowance. Accordingly, reconsideration is respectfully requested. Claims 1, 3, 5-14, and 16-25 are pending in the application, and stand rejected at present.

Claims 1, 3, 5-14, and 16-25 were rejected under 35 U. S. C. 112, first paragraph, as failing to comply with the written description requirement, on the basis that there was no support in specification for the “proviso that the colloidal particles are not mica”.

Applicants believe there is support in the specification for the proviso that the colloidal particles are not mica. In support, Applicants offer the following remarks:

- In paragraph [0006] of the specification as filed, it clearly states that when mica used as fluid loss additive in a VES-based fluid gives poor performance due to high fluid loss (*the supportive portions of the original text are underlined in the following paragraphs*) -

[0006] To overcome the tendency of high fluid loss in polymeric and VES-based fluids (in particular in hydraulic fracturing fluids and gravel carrier fluids), various fluid loss control additives have been proposed. Silica, mica, and calcite, alone, in combination, or in combination with starch, are known to reduce fluid loss in polymer-based fracturing fluids, by forming a filter cake, on the formation face, which is relatively impermeable to water, as described in US Patent No. 5,948,733. Use of these fluid loss control additives alone in a VES-based fluid, however, has been observed to give only modest decreases in fluid loss as described in US Patent No. 5,929,002. The poor performance of these conventional fluid loss additives is typically attributed to the period of high leak-off

(spurt) before a filter cake is formed and to the formation of a filter cake permeable to the VES-based fluid.

- In paragraph [0006] it clearly states that it is desirable to have VES-based fluids with fluid loss control additives which reduce fluid loss -

[0010] In low permeability media (typically less than approximately 2 mD), the viscosity of the treatment fluid and the compressibility of the reservoir fluids control the leak-off of the VES fluid. In medium to high permeability formations, increasing wellbore service fluid viscosity alone may not suffice to reduce fluid loss to practical levels. Although VES-based materials can be used alone, it would often be better to increase fluid loss control properties. Therefore, it would be desirable to have a VES-based treatment fluid comprising solid-free fluid loss control additives, which reduce fluid loss, especially spurt, during treatment.

- In paragraph [0011] it is clearly stated that adding colloidal particles to VES-based fluids significantly reduces fluid loss -

[0011] We have found that the addition of an aqueous suspension of colloidal particles to a base fluid comprising a viscoelastic surfactant contributes to a significant reduction of the fluid loss into the formation.

- Combining the above points, the original specification sufficiently discloses that use of mica in VES fluids gives high fluid loss, that it is desirable to reduce fluid loss, and that use of colloidal particles in VES fluids significantly reduces fluid loss.

- Therefore, it follows that the original disclosure would reasonably convey to one of skill in the relevant art that the inventors had possession of the claimed invention at the time the application was filed, most notably the limitation that mica would not be a colloidal particle which would reduce fluid loss of VES fluids.

Claim 12 is been amended herein to remove the term "particulates" thus establishing proper antecedent basis, per Examiner's comment in the Advisory Action.

Applicants submit that this paper is fully responsive to the comments in the Advisory Action and respectfully solicit for this application to be granted in light of these amendments and remarks. If the Examiner believes that the prosecution of the application would be facilitated by a telephone interview, Applicants invite the Examiner to contact the undersigned at 281-285-8606. The Commissioner is authorized to charge any additional required fee, or credit any excess fee paid, to Deposit Account 04-1579 (56.0726).

Respectfully submitted,



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